

EXHIBIT 50

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

COMMONWEALTH OF
MASSACHUSETTS, et al.

Plaintiffs,

v.

NATIONAL INSTITUTES OF HEALTH;
MATTHEW MEMOLI, M.D., M.S., in his
official capacity as Acting Director of the
National Institutes of Health; U.S.
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; and DOROTHY
FINK, M.D., in her official capacity as
Acting Secretary of the U.S. Department of
Health and Human Services,

Defendants.

Civil Action No. 1:25-cv-10338.

DECLARATION OF VASSILIS L. SYRMOS

I, Vassilis L. Syrmos, declare as follows:

1. I am a resident of the State of Hawai'i. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the University of Hawai'i (UH) as the Vice President for Research and Innovation. In addition to my current role, I have a Ph.D. in electrical engineering and over 30 years of academic experience.

3. The University of Hawai'i is the only public higher education institution in the State of Hawai'i.

4. My office (the Office of the Vice President for Research and Innovation) tracks federal funding received by the University of Hawai‘i through grant awards, cooperative agreements, contracts and other agreements. My office facilitates the research enterprise for our researchers, faculty, students, staff and administrators, funds systemwide initiatives, coordinates and executes our federal funding appropriations and programs, sets and monitors all policies for our research enterprise to comply with federal and state laws and drives the innovation, commercialization and entrepreneurship ecosystem across all campuses.

5. As the systemwide office for research and innovation, I work closely with all chancellors and provost across all UH campuses. I am in regular contact with our flagship campus at Mānoa and our regional campuses at Hilo and West O‘ahu to identify any issues impacting UH systemwide research, including federal funding and indirect cost allocations for research operations.

6. I am providing this declaration to explain certain impacts of National Institutes of Health (“NIH”) Notice Number NOT-OD-25-068, *Supplemental Guidance to the 2024 NIH Grants Policy Statement: Indirect Cost Rates*, which purports to immediately reduce indirect costs (also known as facilities and administrative costs) payments to 15 percent.

7. The University of Hawai‘i includes the John A. Burns School of Medicine (JABSOM), the University of Hawai‘i Cancer Center (a National Cancer Institute-designated center), the Daniel K. Inouye College of Pharmacy, the School of Nursing and Dental Hygiene, the Thompson School of Social Work and Public Health, and several more Health Sciences programs across all campuses. All these Schools, Colleges, and Centers conduct fundamental, translational, clinical and community-based participatory research in health sciences and

healthcare. This research is supported by 175 awards and subawards from the NIH with a current value of \$211M.

8. As an island community, Hawai'i faces many challenges in the delivery of healthcare, which are exacerbated by its geographic isolation. Our health professional schools, centers, and colleges are widely recognized as among the best in the country and in the Pacific. These health professional and health sciences schools educate the next generation of doctors, nurses, social workers, and pharmacists who provide much-needed health care in the region, public health experts who keep our communities safe and healthy, and scientists who develop new cures and treatments for all people of Hawai'i, including our veterans and the Pacific.

9. UH is one of the leading research universities in the nation, ranking in the top 20 percent of all public universities in research expenditures by the National Science Foundation Higher Education Research and Development (HERD) survey.

10. UH's budget heavily relies on federal funding to advance and maintain a world-renowned research enterprise. The research enterprise of UH includes but is not limited to allocated funding for researchers, graduate and undergraduate students, clinical trials, community-based outreach, equipment, and many other activities to serve the people of Hawai'i and the Pacific.

11. Federal funding, which can leverage state and other sources, is essential for sustaining and advancing these initiatives and increasing Hawai'i's contributions to the nation's economy and strategic interests. UH's budget for this fiscal year has been prepared on the assumption that it would be reimbursed for the significantly higher rates of facilities and administrative cost recovery that have been negotiated and formalized in an agreement with the Department of Health and Human Services, following a lengthy and meticulous process

undertaken by UH and DHHS. The NIH's notice of an arbitrary reduction in reimbursable costs to the university will lead to catastrophic consequences for both our budget and operations.

12. NIH's reduction of a lower facilities and administrative rate will result in the elimination of approximately \$16.5M in funding that the University of Hawai'i uses to support its research programs, including debt service payments for facilities that support translational research and clinical trials. The loss of these funds will immediately impact the University of Hawai'i's ability to draw critical funds for expenses associated with facilities costs, debt services, payroll, and infrastructure used to support research and clinical trials.

13. On an annual basis, the federal government is the single largest sponsor of UH's research enterprise. As a result of the proposed cap in facilities and administrative cost reimbursements to UH, payroll for many individuals, including researchers, staff, and students, will have to be significantly scaled back or terminated. This outcome will be devastating to our biomedical research enterprise, including, as one example, JABSOM and the critical education it provides and research it performs.

14. JABSOM is the State of Hawai'i's only medical school, and serves a unique role in the education of physicians and scientists who serve the State of Hawai'i and its unique population base, as well as in the performance of research that serves the broader public health. The loss of these funds will immediately impact JABSOM's ability to draw critical funds used to pay expenses associated with operational research facilities, debt service, payroll, and other infrastructure associated with JABSOM's research.

15. If JABSOM cannot continue to rely on NIH indirect costs funding, upon information and belief, the negative impact on communities in Hawai'i and elsewhere that already experience the

highest rates of chronic disease, more and more severe health conditions, and shortened life expectancies will be severe.

16. For UH as a whole, any cap in UH's legally negotiated indirect cost recovery would trigger cost containment measures that, if enacted for a prolonged period, would make it difficult for the UH to continue and setback its sponsored research and training efforts. The UH has limited resources to cover payroll. Once funds are depleted, the UH will need to implement furlough and layoff procedures. In fiscal crises, this starts with temporary personnel such as casual employees and students, who are generally the most vulnerable financially. Some students may find it financially infeasible to continue their education due to their reduced income and may not return. In addition, UH will need to start canceling subawards, procurements and other contracts, spreading financial hardship to its partners and vendors, which include community partners.

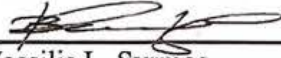
17. UH also relies on subrecipients to conduct part of the scope of work under federal awards and issue approximately \$42.3 million in subawards a year to our collaborators in Hawai'i and across the United States. As of January 31, 2025, the UH issued \$33 million in subawards and anticipate another \$10 million will be issued by the end of the UH fiscal year. A break in service could jeopardize scientific experiments, educational activities, or community services and, in turn, performance under these federal awards.

18. With this uncertainty, it will become difficult to hire or retain personnel on federal funds. Faculty or other senior personnel will need to spend additional time to train new hires and start their experiments or projects over.

19. The underlying cause of this uncertainty is the NIH cap, but the UH's reputation in this competitive research space will suffer negatively given that the UH will be the public face of the cuts to its personnel, equipment, facilities, its vendors and its partners in Hawai'i especially, but globally as well.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 17, 2025, at Honolulu, Hawai'i.



Vassilis L. Syrmos
Vice President for Research and Innovation
University of Hawai'i